IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 24860 of 2003

Between:

M/s.IPM Power Ltd.(Formerly known as industrial Meters ltd) a Comp.incorporated
under the Companies Act 1956 having its registered HeadOffice at Advent, 7th Floor,12-A,Gen.J.BhosaleMarg Mumbai-021 and its factory at Sayli Umerkuin Rd.(Dadra & Nagar Haveli), Silvassa (U.T), represented by its vice President (Op) Mr. S.L. Surana,S/o.Prahladrai,Surana age 56 years R/o.Hyderabad.

..... PETITIONER

AND

1 Transmission Corporation of A.P.Ltd., represented by its Chairman Cum Managing
Director Vidyut Soudha, Hyderabad.
2 The Government of India, represented by its The Secretary Ministry of Commerce
and Industry, Department of Commerce, Udyog Bhavan, New Delhi 110001.
3 The Government of India, represented by its Secretary, Ministry of Finance, Department of Revenue, Udyog Bhavan, New Delhi -110 001.
4 The Central Board of Excise and Customs, represented by its Chairman, North Block,
New Delhi -110001.
5 Directorate General of Central Intelligence West Zone, 3rd Floor, NTC House, 15,
M.V. Marg, Ballard Estate, Mumbai - 400 038.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, direction or order especially in the nature of Writ of Mandamus declaring the letter dated 9th July, 2002 issued by the Respondent No.1 as illegal and void and consequently declare and hold that the said duty exemption certificate have been issued validly and the petitioner is entitled to claim benefit of Notification No.108 of 1995 dated 28.08.1995.

Counsel for the Petitioner: MR.M.S.SRINIVASA IYENGAR

Standing Counsel for respondent No.1: MR.SRIRAMULU REDDY

Counsel for the Respondents 2 to 5: MR.A.RAJASHEKAR REDDY (ASST.SOLICITOR GEN.)

The Court made the following:

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ORAL ORDER: (per GB. J.)

It is submitted by the learned Standing Counsel for the Central Government that similar and identical Writ Petition, viz., Writ Petition No.2980 of 2002, dated 7.3.2005, as that of this Writ Petition, was dismissed by this Court.

2. Recording the above submission and following the ratio laid down in the judgment referred to above, this Writ Petition is also dismissed. No costs.

(G.BIKSHAPATHY, J.)

8th April, 2005.

(P.S.NARAYANA, J.)

SSR

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Chairman Cum Managing Director, Transmission Corporation of A.P.Ltd., Vidyut Soudha, Hyderabad.
2 The Secretary Ministry of Commerce and Industry, Department of Commerce, Government of India, Udyog Bhavan, New Delhi 110001.
3 The Secretary, Ministry of Finance, Department of Revenue, Government of

India,
Udyog Bhavan, New Delhi -110 001.
4 The Chairman, Central Board of Excise and Customs, North Block,
New Delhi -110001.
5 Director General of Central Intelligence West Zone, 3rd Floor, NTC House, 15,
M.V. Marg, Ballard Estate, Mumbai - 400 038.

6 2 CD copies

(Enclosed along with copy of order dated 7.3.2005 passed in WP.No.2980/2002)

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